

UNITED STATES DISTRICT COURT

for the
Western District of Washington

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

Information from Facebook Account
100071299311376 stored at Meta Platforms, Inc.,
more described in Attachment A

Case No. MJ23-073

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Information associated with Facebook Account 100071299311376 that is stored at the premises controlled by Meta Platforms Inc., as more fully described in Attachment A, incorporated herein by reference.

located in the Northern District of California, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, incorporated herein by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 USC Section 922(g)(1)	Felon in Possession of a Firearm

The application is based on these facts:

- ☒ See Affidavit of Zane Davis, continued on the attached sheet.

- ☒ Delayed notice of _____ days (give exact ending date if more than 30 days: 05/18/2023) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented: ☒ by reliable electronic means; or: ☐ telephonically recorded.

Zane F. Davis

Digitally signed by Zane F. Davis
Date: 2023.02.16 15:27:52 -08'00'

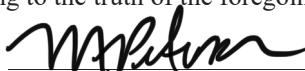
Applicant's signature

Zane Davis, Special Agent

Printed name and title

- ☐ The foregoing affidavit was sworn to before me and signed in my presence, or
- ☒ The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: 02/17/2023



Judge's signature

City and state: Seattle, Washington

Michelle L. Peterson, United States Magistrate Judge

Printed name and title

ATTACHMENT A

Property to Be Searched

This warrant applies to information associated with the following account, identified by Facebook Profile ID 100071299311376, that is stored at premises owned, maintained, controlled, or operated by Meta Platforms, Inc., a company headquartered in Menlo Park, California.

ATTACHMENT B**Particular Things to be Seized****I. Information to be disclosed by Meta Platforms, Inc. (“Meta”)**

To the extent that the information described in Attachment A is within the possession, custody, or control of Meta, regardless of whether such information is located within or outside of the United States, including any messages, records, files, logs, or information that have been deleted but are still available to Meta, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Meta is required to disclose the following information to the government for the user ID listed in Attachment A (100071299311376):

- (a) All contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.
- (b) All activity logs for the account and all other documents showing the user’s posts and other Facebook activities from December 1, 2022 to February 7, 2023.
- (c) All photos and videos uploaded by that user ID and all photos and videos uploaded by any user that have that user tagged in them December 1, 2022 to February 7, 2023, including Exchangeable Image File (“EXIF”) data and any other metadata associated with those photos and videos;

- 1 (d) All profile information; News Feed information; status updates; videos,
2 photographs, articles, and other items; Notes; Wall postings; friend lists,
3 including the friends' Facebook user identification numbers; groups and
4 networks of which the user is a member, including the groups' Facebook
5 group identification numbers; future and past event postings; rejected
6 "Friend" requests; comments; gifts; pokes; tags; and information about the
7 user's access and use of Facebook applications;
8
9 (e) All records or other information regarding the devices and internet
10 browsers associated with, or used in connection with, that user ID,
11 including the hardware model, operating system version, unique device
12 identifiers, mobile network information, and user agent string;
13
14 (f) All other records and contents of communications and messages made or
15 received by the user from December 1, 2022, to February 7, 2023,
16 including all Messenger activity, private messages, chat history, video and
17 voice calling history, and pending "Friend" requests;
18
19 (g) All "check ins" and other location information;
20
21 (h) All IP logs, including all records of the IP addresses that logged into the
22 account;
23
24 (i) All records of the account's usage of the "Like" feature, including all
25 Facebook posts and all non-Facebook webpages and content that the user
26 has "liked";
27

- (j) All information about the Facebook pages that the account is or was a “fan” of;
- (k) All past and present lists of friends created by the account;
- (l) All records of Facebook searches performed by the account from December 1, 2022, to February 7, 2023.
- (m) All information about the user’s access and use of Facebook Marketplace;
- (n) The types of service utilized by the user;
- (o) The length of service (including start date) and the means and source of any payments associated with the service (including any credit card or bank account number);
- (p) All privacy settings and other account settings, including privacy settings for individual Facebook posts and activities, and all records showing which Facebook users have been blocked by the account;
- (q) All records pertaining to communications between Meta and any person regarding the user or the user’s Facebook account, including contacts with support services and records of actions taken.

Meta is hereby ordered to disclose the above information to the government within 14 days of issuance of this warrant.

II. Information to be seized by the government

All information described above in Section I that constitutes fruits, evidence and instrumentalities of violations of 18 United States Code, Section 922(g)(1) involving SONNY P LELILI'O between the dates of December 1, 2022, and February 7, 2023, including, for each user ID identified on Attachment A, information pertaining to the following matters:

- (a) All records pertaining to the sale, purchase, location or possession of firearms;
- (b) Any and all photographs, videos, and recordings, whether or not posted by the user ID or by others, relating to the sale, purchase, or possession of firearms;
- (c) Any and all communications, including but not limited to Facebook messenger and wall posts pertaining to the sale, purchase or possession of firearms;
- (d) All subscriber records, including names, addresses, local and long-distance telephone connection records, or records of session times and durations, length of service (including start date) and types of service utilized, telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address, and means and source of payment for such service including any credit card or bank account number;
- (e) All profile photographs for the user ID;

- 1 (f) All contact and personal identifying information, including full names, user
2 identification number, birth date, gender, contract e-mail addresses,
3 Facebook passwords, Facebook security questions and answers, physical
4 address (including city, state, and zip code), telephone numbers, screen
5 names, websites, and other personal identifiers;
6
7 (g) Any and all other log records, including IP address captures;
8
9 (h) Evidence indicating how and when the Facebook account was accessed or
10 used, to determine the chronological and geographic context of account
11 access, use, and events relating to the crime under investigation and to the
12 Facebook account owner;
13
14 (i) Evidence indicating the Facebook account owner's state of mind as it
15 relates to the crime under investigation;
16
17 (j) Records identifying "friends" of and "friend requests" sent or received by
18 the user ID;
19
20 (k) Records relating to any and all requests or attempts to deactivate Facebook
21 accounts for the user ID;
22
23 (l) The identity of the person(s) who created or used the user ID, including
24 records that help reveal the whereabouts of such person(s).
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26
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AFFIDAVIT

STATE OF WASHINGTON)
) SS
COUNTY OF KING)

I, Zane Davis, a Special Agent with the United States Department of Justice
Bureau of Alcohol, Tobacco, Firearms, and Explosives, having been duly sworn, state as
follows:

INTRODUCTION AND AFFIANT'S TRAINING AND EXPERIENCE

1. I make this affidavit in support of an application for a search warrant for information associated with the following account (**SUBJECT ACCOUNT**) that are stored at premises owned, maintained, controlled, or operated by Meta Platforms, Inc., (Meta) a social-networking company headquartered in Menlo Park, California, as further described in Attachments A and B, of the application:

Facebook Account ID No.: 100071299311376, the “Duce P Lelilio” account
(**SUBJECT ACCOUNT**) used by Sonny P LELILI’O.

2. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require Meta to disclose to the government records and other information in its possession, pertaining to the subscriber or customer associated with the account.

3. I am an “investigative or law enforcement officer of the United States” within the meaning of Title 18, United States Code, Section 2510(7). Specifically, I am a Special Agent (SA) with the United States Department of Justice (DOJ) Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), and have been so employed since January 2022. I am currently assigned to the ATF Puget Sound Regional Crime Gun Task Force in Seattle, Washington. In this capacity, I enforce federal criminal laws relating to

1 the unlawful possession, use and trafficking of firearms. I also investigate individuals
2 who illegally use firearms to commit violent crimes.

3 4. I received a Bachelor of Science degree in Law and Public Policy from
4 Indiana University in Bloomington, Indiana. I received training at the Federal Law
5 Enforcement Training Center in Glynco, Georgia. While there, I completed the Criminal
6 Investigator Training Program which provided me knowledge of basic criminal
7 investigations, including systematic techniques for processing crime scenes, interviewing
8 witnesses, gathering evidence, and conducting surveillance. Additionally, I have
9 completed the ATF Special Agent Basic Training program at Glynco, Georgia, which
10 included extensive training on firearms and ammunition identification, firearms
11 trafficking, alcohol and tobacco diversion investigations, explosives and arson
12 investigations, and undercover operations.

13 5. I make this affidavit from personal knowledge and observations; my
14 training and experience; information obtained from other agents and witnesses; review of
15 documents and records related to this investigation; and communications with others who
16 have personal knowledge of events and circumstances described herein. Except as
17 otherwise noted, the information set forth in this Affidavit has been provided to me by
18 other law enforcement officers. Unless otherwise noted, whenever I assert that a
19 statement was made, the information was provided by another law enforcement officer
20 (who may have had either direct or hearsay knowledge of the statement) to whom I have
21 spoken or whose report I have read and reviewed. Such statements are among many
22 statements made by others and are stated in substance, unless otherwise indicated. Dates
23 and times provided herein are approximate.

24 6. This affidavit is intended to show merely there is sufficient probable cause
26 for the requested search warrant, and therefore does not set forth all my knowledge about
27 this matter.

7. Based on the facts set forth in this Affidavit, there is probable cause to believe the crime Felon in Possession of a Firearm in violation of Title 18, United States Code, Section 922(g)(1) has been committed by Sonny LELILI'O. For the reasons set forth below, the **SUBJECT ACCOUNT** is suspected to contain information related to the illegal possession of a firearm.

JURISDICTION

8. This Court has jurisdiction to issue the requested warrant because it is “a court of competent jurisdiction” as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), (b)(1)(A), & (c)(1)(A). Specifically, the Court is “a district court of the United States . . . that has jurisdiction over the offense being investigated.” 18 U.S.C. § 2711(3)(A)(i).

PROBABLE CAUSE

9. In January of 2020, Sonny P LELILI'O was convicted of 18 U.S.C. Section 922(g)(1) Felon in Possession of a Firearm and/or Ammunition in Alaska. LELILI'O was sentenced to 14 months in prison.

10. LELILI'O moved his supervised probation to the Western District of Washington in March of 2022. On October 20, 2022, a U.S. Marshall's arrest warrant was issued for an alleged supervised release violation.

11. On December 26, 2022, dispatch received a report that an individual named Sonny P. LELILI'O, also known as Deuce, had caused a disturbance at 20602 13th Avenue South, SeaTac, Washington, 98198. They reported that LELILI'O had dropped a firearm off at the home and that he had a warrant out for his arrest. They also stated LELILI'O had taken their truck without permission and was attempting to trade the truck to get his firearm back. The reporting party asked for officers to be dispatched to arrest LELILI'O and pick up the firearm.

12. Officers responded to the residence and spoke to D.H. and A.G. D.H. stated she believed LELILI'O had potentially stolen a truck from her property. She reported that

1 LELILI'O messaged her that he would bring the truck back in exchange for the firearm
2 they had. She reported LELILI'O claimed ownership of the gun multiple times. A.G. told
3 officers the firearm belonged to LELILI'O. A.G. was initially protective of the firearm,
4 located in a camouflaged backpack, and did not want to give it to law enforcement. She
5 stated she was willing to return it to the person LELILI'O had purchased it from. A.G.
6 eventually gave the backpack to law enforcement and consented to the backpack being
7 searched.

8 13. Officers conducted a search of the backpack and located a firearm in a
9 fanny pack inside the bag. Officers located a Ruger SR9C 9mm handgun (serial number
10 334-99385). The firearm was loaded with a round of ammunition in the chamber and
11 multiple rounds in the loaded magazine.

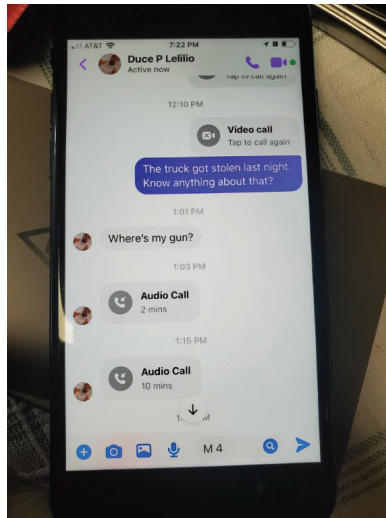


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22 14. A.G. shared with officers that on or about December 22, 2022, LELILI'O
23 showed the firearm to her, and he told her he purchased it for \$400.00. A.G. told
24 LELILI'O she did not want the firearm in her house. On or about December 24, 2022,
26 LELILI'O and A.G. got into an argument and LELILI'O discharged the firearm outside
27

1 of the residence. Shortly after this incident, while LELILI'O was asleep, A.G. took the
 2 firearm. A.G. stated the next day, she met with LELILI'O, and he asked where his
 3 firearm was.

4 15. The following morning, A.G. noticed her mother's truck was missing from
 5 their residence. A.G. told officers LELILI'O contacted her over Facebook messenger and
 6 stated he would give the truck back in exchange for the firearm.

7 16. Officers took a picture of the **SUBJECT ACCOUNT** conversation
 8 between A.G. and LELILI'O. The messages were sent from an account identified with
 9 the name, "Duce P Lelili'o. At approximately 12:10 p.m. on December 26, 2022, A.G.
 10 sent the following message, "the truck got stolen last night. Know anything about that?"
 11 LELILI'O responded, "Where's my gun?"

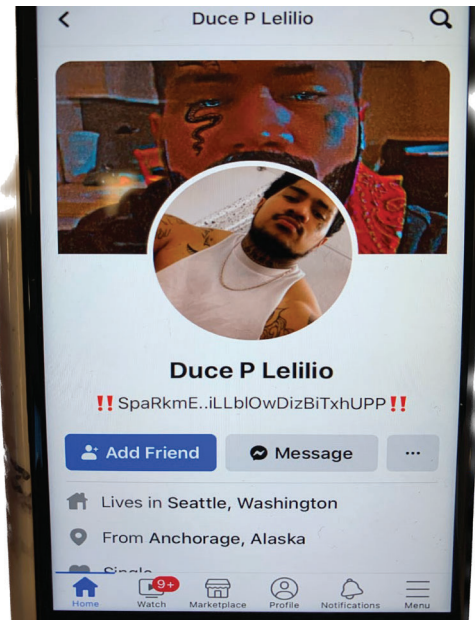


17. The firearm, loaded magazine and a single loose round were sent to the
 King County Regional Identification Program- AFIS for fingerprint analysis. No prints of
 value were recovered.

Evidence associated with LELILI'O's Facebook Account: "Duce P Lelili'o"

18. I reviewed the booking photograph of LELILI'O attached to the SeaTac
 Police Department report and his Washington Department of Licensing photograph. On

February 7, 2023, ATF SA Angelo Salcepuedes located a Facebook profile with the profile name, "Duce P Lelilio." I reviewed the Facebook profile photo on the Duce P Lelilio profile. The photo matched the photos captured in the Facebook Messenger photographs discussed previously, as well as the booking photo and DOL photo of LELILI'O.



19. The "Duce P Lelilio" Facebook account is associated with URL: www.facebook.com/100071299311376 and the Facebook Profile ID Number 100071299311376 (**SUBJECT ACCOUNT**).

20. Based on my training and experience, the statements made by the reporting party, the retrieval of the firearm, and the content of the messages sent from the Duce P Lelilio Facebook account, I believe the account is owned and operated by LELILI'O. I further believe this account was used to communicate about a firearm that was in the possession of LELILI'O.

21. Based on my training, experience, participation in this investigation, as well as others, and conversations with other law enforcement officers, I also know that

1 Prohibited person¹s who engage in violations of/criminal conspiracies relating to Title 18
2 firearms violation(s), commonly may acquire and possess firearms that have been stolen,
3 or purchased by, or registered to someone else so they may avoid detection by law
4 enforcement. Even though these firearms are registered in another person' name,
5 prohibited persons own and continue to use these firearms and exercise dominion and
6 control over them.

7 22. It is common for Prohibited persons who engage in firearms violations to
8 conceal weapons on their person and/or hide weapons (to include firearms) and
9 ammunition in secure locations within their residence and vehicles. They frequently
10 possess items related to possession, receipt, or use of firearms such as ammunition,
11 ammunition clips, magazines, spare firearm parts, firearm accessories such as weapon
12 mounted lights, holsters, gun cleaning kits, instruction manuals for firearms, carrying
13 cases for firearms, documents pertaining to the purchase, pawn, acquisition, transfer, or
14 repair of firearms.

15 23. Such persons will often maintain photographs of firearms and/or
16 themselves/others in possession of firearms, and documentation of successful criminal
17 acts to bolster their status/brag to others within their criminal subculture, to include such
18 photographs contained in cellular telephones and other electronic/digital media, or social
19 media.

20 24. Such persons utilize cellular phones either via phone calls, SMS/MMS
21 messaging, or various other means of social media, to facilitate the
22 bartering/trading/acquiring of new/additional firearms from individuals within their
23 trusted inner network of friends/acquaintances, instead of purchasing a firearm in person,
24 from a licensed dealer due to their prohibited status.

27 ¹ I use the term prohibited in reference to individuals who cannot lawfully possess or purchase firearms.
Furthermore, for the purpose of this affidavit, I use the term prohibited to include both federally and/or state
prohibited.

1 **Preservation of Facebook Account**

2 25. On February 7, 2023, I submitted a preservation request to Facebook for the
3 SUBJECT ACCOUNT. Facebook policy indicated the company would preserve account
4 data associated with the preservation request for at least 90 days.

5 **Facebook Information Storage**

6 26. I am aware from my experience and training, and consultation with other
7 investigators of the following information about Facebook:

8 27. Meta owns and operates Facebook, a free-access social networking website
9 that can be accessed at <http://www.facebook.com>. Facebook users can use their accounts
10 to share communications, news, photographs, videos, and other information with other
11 Facebook users, and sometimes with the general public.

12 28. Meta asks Facebook users to provide basic contact and personal identifying
13 information either during the registration process or thereafter. This information may
14 include the user's full name, birth date, gender, e-mail addresses, physical address
15 (including city, state, and zip code), telephone numbers, screen names, websites, and
16 other personal identifiers. Each Facebook user is assigned a user identification number
17 and can choose a username.

18 29. Facebook users may join one or more groups or networks to connect and
19 interact with other users who are members of the same group or network. Facebook
20 assigns a group identification number to each group. A Facebook user can also connect
21 directly with individual Facebook users by sending each user a "Friend Request." If the
22 recipient of a "Friend Request" accepts the request, then the two users will become
23 "Friends" for purposes of Facebook and can exchange communications or view
24 information about each other. Each Facebook user's account includes a list of that user's
26 "Friends" and a "News Feed," which highlights information about the user's "Friends,"
27 such as profile changes, upcoming events, and birthdays.

1 30. Facebook users can select different levels of privacy for the
2 communications and information associated with their Facebook accounts. By adjusting
3 these privacy settings, a Facebook user can make information available only to himself or
4 herself, to particular Facebook users, or to anyone with access to the Internet, including
5 people who are not Facebook users. A Facebook user can also create “lists” of Facebook
6 friends to facilitate the application of these privacy settings. Facebook accounts also
7 include other account settings that users can adjust to control, for example, the types of
8 notifications they receive from Facebook.

9 31. Facebook users can create profiles that include photographs, lists of
10 personal interests, and other information. Facebook users can also post “status” updates
11 about their whereabouts and actions, as well as links to videos, photographs, articles, and
12 other items available elsewhere on the Internet. Facebook users can also post information
13 about upcoming “events,” such as social occasions, by listing the event’s time, location,
14 host and guest list. In addition, Facebook users can “check in” to particular locations or
15 add their geographic locations to their Facebook posts, thereby revealing their geographic
16 locations at particular dates and times. A particular user’s profile page also includes a
17 “Wall,” which is a space where the user and his or her “Friends” can post messages,
18 attachments, links that will typically be visible to anyone who can view the user’s profile.

19 32. Facebook users can upload photos and videos to be posted on their Wall,
20 included in chats, or for other purposes. Users can “tag” other users in a photo or video
21 and can be tagged by others. When a user is tagged in a photo or video, he or she
22 generally receives a notification of the tag and a link to see the photo or video.

23 33. Facebook users can use Facebook Messenger to communicate with other
24 users via text, voice, video. Meta retains instant messages and certain other shared
26 Messenger content unless deleted by the user, and retains transactional records related to
27 voice and video chats. of the date of each call. Facebook users can also post comments

1 on the Facebook profiles of other users or on their own profiles; such comments are
2 typically associated with a specific posting or item on the profile.

3 34. If a Facebook user does not want to interact with another use on Facebook,
4 the first user can “block” the second user from seeing his or her account.

5 35. Facebook has a “like” feature that allows users to give positive feedback or
6 connect to particular pages. Facebook users can “like” Facebook posts or updates, as well
7 as webpages or connect on third-party (*i.e.*, non-Facebook websites). Facebook users can
8 also become “fans” of particular Facebook pages.

9 36. Facebook has a search function that enables its users to search Facebook for
10 keywords, usernames, or pages, among other things.

11 37. Each Facebook account has an activity log, which is a list of the user’s
12 posts and other Facebook activities from the inception of the account to the present. The
13 activity log includes stories and photos that the user has been tagged in, as well as
14 connections made through the account, such as “liking” a Facebook page or adding
15 someone as a friend. The activity log is visible to the user but cannot be viewed by
16 people who visit the user’s Facebook page.

17 38. Facebook also has a Marketplace feature, which allows users to post free
18 classified ads. Users can post items for sale, housing, jobs, and other items on the
19 Marketplace.

20 39. In addition to the applications described above, Meta provides users with
21 access to thousands of other applications (“apps”) on the Facebook platform. When a
22 Facebook user accesses or uses one of these applications, an update about that the user’s
23 access or use of that application may appear on the user’s profile page.

24 40. Meta also maintains records of which IP addresses were used by an
26 account to log into or out of Facebook, as well as IP address used to take certain actions
27

1 on the platform. For example, when a user uploads a photo, the user's IP address is
2 retained by Meta along with a timestamp.

3 41. Meta retains location information associated with Facebook users under
4 some circumstances, such as if a user enables "Location History," "checks-in" to an
5 event, or tags a post with a location.

6 42. Social networking providers like Meta typically retain additional
7 information about their users' accounts, such as information about the length of service
8 (including start date), the types of service utilized, and the means and source of any
9 payments associated with the service (including any credit card or bank account number).
10 In some cases, Facebook users may communicate directly with Meta about issues relating
11 to their accounts, such as technical problems, billing inquiries, or complaints from other
12 users. Social networking providers like Meta typically retain records about such
13 communications, including records of contacts between the user and the provider's
14 support services, as well as records of any actions taken by the provider or user as a result
15 of the communications.

16 43. As explained herein, information stored in connection with a Facebook
17 account may provide crucial evidence of the "who, what, why, when, where, and how" of
18 the criminal conduct under investigation, thus enabling the United States to establish and
19 prove each element or alternatively, to exclude the innocent from further suspicion. In
20 my training and experience, a Facebook user's IP log, stored electronic communications,
21 and other data retained by Meta, can indicate who has used or controlled the Facebook
22 account. This "user attribution" evidence is analogous to the search for "indicia of
23 occupancy" while executing a search warrant at a residence. For example, profile contact
24 information, private messaging logs, status updates, and tagged photos (and the data
26 associated with the foregoing, such as date and time) may be evidence of who used or
27 controlled the Facebook account at a relevant time. Further, Facebook account activity

1 can show how and when the account was accessed or used. For example, as described
2 herein, Meta logs the Internet Protocol (IP) addresses from which users access their
3 accounts along with the time and date. By determining the physical location associated
4 with the logged IP addresses, investigators can understand the chronological and
5 geographic context of the account access and use relating to the crime under
6 investigation. Such information allows investigators to understand the geographic and
7 chronological context of Facebook access, use, and events relating to the crime under
8 investigation. Additionally, location information retained by Meta may tend to either
9 inculcate or exculpate the Facebook account owner. Last, Facebook account activity may
10 provide relevant insight into the Facebook account owner's state of mind as it relates to
11 the offense under investigation. For example, information on the Facebook account may
12 indicate the owner's motive and intent to commit a crime (e.g., information indicating a
13 plan to commit a crime), or consciousness of guilt (e.g., deleting account information in
14 an effort to conceal evidence from law enforcement).

15 44. Therefore, the servers of Meta are likely to contain all the material
16 described above, including stored electronic communications and information concerning
17 subscribers and their use of Facebook, such as account access information, transaction
18 information, and other account information.

19 **INFORMATION TO BE SEARCHED AND ITEMS TO BE SEIZED**

20 45. I anticipate executing this warrant under the Electronic Communications
21 Privacy Act, in particular Title 18, United States Code, Sections 2703(a), (b)(1)(A), and
22 (c)(1)(A), by using the warrant to require Facebook to disclose to the government copies
23 of the records and other information (including the content of communications)
24 particularly described in Section I of Attachment B. Upon receipt of the information
26 described in Section II of Attachment B, government-authorized persons will review that
27 information to locate the items described in Section II of Attachment B.

MOTION FOR NONDISCLOSURE AND MOTION TO SEAL

46. As indicated in the Motion for Nondisclosure and Motion to Seal that accompany this Affidavit, the government requests, pursuant to the preclusion of notice provisions of Title 18, United States Code, Section 2705(b), that Facebook be ordered not to notify any person (including the subscriber or customer to which the materials relate) of the existence of this warrant for such period as the Court deems appropriate. The government submits that such an order is justified because notification of the existence of this Order would seriously jeopardize the ongoing investigation. Such a disclosure would give the subscriber an opportunity to destroy evidence, change patterns of behavior, notify confederates, or flee from prosecution. Notifying our targets of the existence of this investigation will likely cause them to destroy evidence, flee the jurisdiction, or alter their methods, thus making it more difficult to dismantle the organization effectively.

47. It is further respectfully requested that this Court issue an order sealing all papers submitted in support of this application, including the application and search warrant, until such dates as provided in the proposed Order. I believe that sealing this document is necessary because the items and information to be seized are relevant to an ongoing investigation. Premature disclosure of the contents of this Affidavit and related documents may have a significant and negative impact on the continuing investigation and may severely jeopardize its effectiveness.

48. Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant. The government will execute this warrant by serving it on Facebook.

CONCLUSION

49. Based on the foregoing, I request that the Court issue the proposed Search Warrant.

ATTACHMENT A

Property to Be Searched

This warrant applies to information associated with the following account, identified by Facebook Profile ID 100071299311376, that is stored at premises owned, maintained, controlled, or operated by Meta Platforms, Inc., a company headquartered in Menlo Park, California.

ATTACHMENT B**Particular Things to be Seized****I. Information to be disclosed by Meta Platforms, Inc. (“Meta”)**

To the extent that the information described in Attachment A is within the possession, custody, or control of Meta, regardless of whether such information is located within or outside of the United States, including any messages, records, files, logs, or information that have been deleted but are still available to Meta, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Meta is required to disclose the following information to the government for the user ID listed in Attachment A (100071299311376):

- (a) All contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.
- (b) All activity logs for the account and all other documents showing the user’s posts and other Facebook activities from December 1, 2022 to February 7, 2023.
- (c) All photos and videos uploaded by that user ID and all photos and videos uploaded by any user that have that user tagged in them December 1, 2022 to February 7, 2023, including Exchangeable Image File (“EXIF”) data and any other metadata associated with those photos and videos;

- 1 (d) All profile information; News Feed information; status updates; videos,
2 photographs, articles, and other items; Notes; Wall postings; friend lists,
3 including the friends' Facebook user identification numbers; groups and
4 networks of which the user is a member, including the groups' Facebook
5 group identification numbers; future and past event postings; rejected
6 "Friend" requests; comments; gifts; pokes; tags; and information about the
7 user's access and use of Facebook applications;
8
9 (e) All records or other information regarding the devices and internet
10 browsers associated with, or used in connection with, that user ID,
11 including the hardware model, operating system version, unique device
12 identifiers, mobile network information, and user agent string;
13
14 (f) All other records and contents of communications and messages made or
15 received by the user from December 1, 2022, to February 7, 2023,
16 including all Messenger activity, private messages, chat history, video and
17 voice calling history, and pending "Friend" requests;
18
19 (g) All "check ins" and other location information;
20
21 (h) All IP logs, including all records of the IP addresses that logged into the
22 account;
23
24 (i) All records of the account's usage of the "Like" feature, including all
25 Facebook posts and all non-Facebook webpages and content that the user
26 has "liked";
27

- 1 (j) All information about the Facebook pages that the account is or was a “fan”
2 of;
- 3 (k) All past and present lists of friends created by the account;
- 4 (l) All records of Facebook searches performed by the account from December
5 1, 2022, to February 7, 2023.
- 6
- 7 (m) All information about the user’s access and use of Facebook Marketplace;
- 8 (n) The types of service utilized by the user;
- 9 (o) The length of service (including start date) and the means and source of any
10 payments associated with the service (including any credit card or bank
11 account number);
- 12
- 13 (p) All privacy settings and other account settings, including privacy settings
14 for individual Facebook posts and activities, and all records showing which
15 Facebook users have been blocked by the account;
- 16
- 17 (q) All records pertaining to communications between Meta and any person
18 regarding the user or the user’s Facebook account, including contacts with
19 support services and records of actions taken.
- 20

21 Meta is hereby ordered to disclose the above information to the government within
22 14 days of issuance of this warrant.

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II. Information to be seized by the government

All information described above in Section I that constitutes fruits, evidence and instrumentalities of violations of 18 United States Code, Section 922(g)(1) involving SONNY P LELILI'O between the dates of December 1, 2022, and February 7, 2023, including, for each user ID identified on Attachment A, information pertaining to the following matters:

- (a) All records pertaining to the sale, purchase, location or possession of firearms;
- (b) Any and all photographs, videos, and recordings, whether or not posted by the user ID or by others, relating to the sale, purchase, or possession of firearms;
- (c) Any and all communications, including but not limited to Facebook messenger and wall posts pertaining to the sale, purchase or possession of firearms;
- (d) All subscriber records, including names, addresses, local and long-distance telephone connection records, or records of session times and durations, length of service (including start date) and types of service utilized, telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address, and means and source of payment for such service including any credit card or bank account number;
- (e) All profile photographs for the user ID;

- (f) All contact and personal identifying information, including full names, user identification number, birth date, gender, contract e-mail addresses, Facebook passwords, Facebook security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers;
- (g) Any and all other log records, including IP address captures;
- (h) Evidence indicating how and when the Facebook account was accessed or used, to determine the chronological and geographic context of account access, use, and events relating to the crime under investigation and to the Facebook account owner;
- (i) Evidence indicating the Facebook account owner's state of mind as it relates to the crime under investigation;
- (j) Records identifying "friends" of and "friend requests" sent or received by the user ID;
- (k) Records relating to any and all requests or attempts to deactivate Facebook accounts for the user ID;
- (l) The identity of the person(s) who created or used the user ID, including records that help reveal the whereabouts of such person(s).

CERTIFICATE OF AUTHENTICITY OF DOMESTIC RECORDS
PURSUANT TO FEDERAL RULES OF EVIDENCE 902(11) AND 902(13)

I, _____, attest, under penalties of perjury by the laws of the United States of America pursuant to 28 U.S.C. § 1746, that the information contained in this certification is true and correct. I am employed by Meta Platforms, Inc., and my title is _____. I am qualified to authenticate the records attached hereto because I am familiar with how the records were created, managed, stored, and retrieved. I state that the records attached hereto are true duplicates of the original records in the custody of Meta Platforms, Inc. The attached records consist of _____

[GENERALLY DESCRIBE RECORDS (pages/CDs/megabytes)]. I further state that:

a. all records attached to this certificate were made at or near the time of the occurrence of the matter set forth by, or from information transmitted by, a person with knowledge of those matters, they were kept in the ordinary course of the regularly conducted business activity of Meta Platforms, Inc., and they were made by Meta Platforms, Inc. as a regular practice; and

b. such records were generated by Meta Platforms, Inc.'s electronic process or system that produces an accurate result, to wit:

1. the records were copied from electronic device(s), storage medium(s), or file(s) in the custody of Meta Platforms, Inc. in a manner to ensure that they are true duplicates of the original records; and

2. the process or system is regularly verified by Meta Platforms, Inc., and at all times pertinent to the records certified here the process and system functioned properly and normally.

1 I further state that this certification is intended to satisfy Rules 902(11) and 902(13)
2 of the Federal Rules of Evidence.

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4
5 Date

Signature
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